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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 CANDACE SMITH,) Case No.: 1:21-cv-01613 JLT SAB
12 Plaintiff,)
13 v.) ORDER DISMISSING THE ACTION WITHOUT
14 CITY OF FRESNO, et al.,) PREJUDICE
15 Defendants.)
16)

17 Candace Smith initiated this action by filing a complaint and motion to proceed *in forma*
18 *pauperis*. (Doc. 1.) On January 21, 2022, the Court denied the motion and ordered Plaintiff to pay the
19 filing fee within fourteen days of the date of service. (Doc. 7.) Plaintiff was also advised that failure to
20 timely pay the filing fee would result in dismissal of the action. (*Id.* at 2.) Although the deadline has
21 passed, Plaintiff has not paid the filing fee, and the action cannot proceed. *See Ferdik v. Bonzelet*, 963
22 F.2d 1258, 1260-61 (9th Cir. 1992). Accordingly, the Court **ORDERS**:

- 23 1. The action is **DISMISSED** without prejudice; and
24 2. The Clerk of the Court is **DIRECTED** to close this case.
25

26 IT IS SO ORDERED.

27 Dated: **February 11, 2022**
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UNITED STATES DISTRICT JUDGE